

BESTPITCH
35956-070102



ROANOKE CITY COUNCIL
REGULAR SESSION

JULY 1, 2002
12:15 P.M.

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call.** (Council Member Wyatt was absent.)

A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

(Approved 6-0)
File #110-132

THE MEETING WAS DECLARED IN RECESS AT 12:19 P.M. TO BE RECONVENED AT 12:25 P.M. IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, FOR A BRIEFING ON WATER ISSUES.

THE MEETING WAS DECLARED IN RECESS AT 1:58 P.M. TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER.



***ROANOKE CITY COUNCIL
ORGANIZATIONAL MEETING***

***JULY 1, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. **Call to Order.** (Council Member Wyatt was absent.)
2. **Roll Call.**
3. **Statement of Purpose. Mayor Ralph K. Smith.**
4. A report of the City Clerk with regard to the qualification of M. Rupert Cutler, Alfred T. Dowe, Jr., and C. Nelson Harris as Members of the Roanoke City Council, for terms of four years, each, commencing July 1, 2002, and ending June 30, 2006.

**Received and filed.
File #132**

5. A Resolution recognizing the Honorable C. Nelson Harris to be a member of the City Council and Vice-Mayor of the City of Roanoke.

**Adopted Resolution No. 35956-070102. (6-0.)
File #132**

6. A Resolution recognizing the services of the Honorable William H. Carder as Vice-Mayor of the City of Roanoke.

Adopted Resolution No. 35957-070102. (5-0, Council Member Carder abstained from voting.)

File #132

7. A Resolution establishing a meeting schedule for City Council for the Fiscal Year commencing July 1, 2002, and terminating June 30, 2003.

Adopted Resolution No. 35958-070102. (6-0.)

File #132

8. A communication from Mayor Ralph K. Smith with regard to certain committee assignments for the Members of City Council.

Concurred in a communication signed by six Members of Council under date of June 20, 2002.

File #110-132

The meeting was adjourned at 2:40 p.m.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 1, 2002
2:45 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order – Roll Call. (Council Member Wyatt was absent.)**

The Invocation was delivered by The Reverend David J. Fuller, Missions Pastor, Church of the Holy Spirit.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 4, 2002, at 7:00 p.m., and Saturday, July 6, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring the month of July as National Parks and Recreation Month.

File #3-67

3. CONSENT AGENDA

(APPROVED 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the work session of City Council held on Monday, April 29, 2002.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 A communication from Sherman P. Lea tendering his resignation as a Trustee of the Roanoke City School Board, effective August 15, 2002, or until a new Trustee is appointed, whichever occurs first.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #110-467

- C-3 A communication from Robert J. Sparrow tendering his resignation as a member of the Fair Housing Board.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #110-178

- C-4 A communication from William E. Skeen tendering his resignation as a member of the Board of Trustees, City of Roanoke Pension Plan, and the Roanoke Neighborhood Partnership Steering Committee.

RECOMMENDED ACTION: Receive and file the communication and accept the resignations.

File #110-488

- C-5 A communication from the City Manager requesting that Council schedule a public hearing for Monday, July 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the proposed conveyance of City-owned property located at 1224 Rorer Avenue, S. W., and 719 Dale Avenue, S. E., to the Blue Ridge Housing Development Corp.

RECOMMENDED ACTION: Concur in the request.

File #2-166-178

- C-6 Minutes of the meeting of the Audit Committee held on Monday, June 3, 2002.

RECOMMENDED ACTION: Receive and file.

File #10-110-300

- C-7 Qualification of the following persons:

William E. Skeen and Robert J. Sparrow as Trustees of the Roanoke City School Board, for terms of three years, each, commencing July 1, 2002, and ending June 30, 2005;

Roland H. Macher as a member of the Roanoke Public Library Board for a term ending June 30, 2005;

D. Duane Dixon as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2004;

Alfred C. Moore as a member of the War Memorial Committee for a term ending June 30, 2003;

Brenda L. McDaniel as a member of the Roanoke Public Library Board for a term ending June 30, 2004; and

I. B. Heinemann as a member of the Personnel and Employment Practices Commission for a term ending June 30, 2005.

RECOMMENDED ACTION: Receive and file.
File #15-110-202-323-429-467-518

REGULAR AGENDA

4. PUBLIC HEARINGS:

- a.(1) Bids for lease and renovation of certain City-owned buildings located at 117 and 119 Norfolk Avenue, S. W.

The bid of Warehouse Row, L.P., was referred to the City Manager for report to Council at the regular meeting on Monday, July 15, 2002, at 2:00 p.m.

- (2) Public hearing with regard to the lease and renovation of certain City-owned buildings located at 117 and 119 Norfolk Avenue, S. W., subject to certain terms and conditions. Darlene L. Burcham, City Manager, Spokesperson.

The public hearing was continued until the regular meeting of Council on Monday, July 15, 2002.
File #166-207

5. PETITIONS AND COMMUNICATIONS:

- a. A petition from the Virginia Museum of Transportation requesting exemption from taxation of 1.4 acres of land adjacent to 303 Norfolk Avenue, S. W., in the City of Roanoke, pursuant to Section 30-19.04(B), Code of Virginia (1950), as amended.

The matter was referred to the City Manager for study, report and recommendation to Council.

File #79-229

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending a revocable license to John S. Edwards, 3745 Forest Road, S. W., in connection with encroachment of a basketball goal into the public right-of-way.

Adopted Ordinance No. 35959-070102. (6-0.)
File #169-322

2. A communication recommending a revocable license to James V. Revercomb, Jr., 2908 Carolina Avenue, S. W., to allow encroachment of a retaining wall into the right-of-way of Carolina Avenue.

Adopted Ordinance No. 35960-070102. (6-0.)
File #169-322

3. A communication recommending acquisition of property rights with regard to the Lick Run Greenway Project; and appropriation of funds in connection therewith.

Adopted Budget Ordinance No. 35961-070102 and Ordinance No. 35962-070102. (6-0.)
File #2-60-379

4. A communication recommending amendment to the Downtown Service District Services Agreement dated July 2, 2001.

Adopted Ordinance No. 35963-070102 and Resolution No. 35964-070102. (6-0.)
File #79-277

5. A communication recommending acceptance of a bid submitted by Xerox Corporation to replace equipment in Municipal Building South and the Human Resources Department, for 60 months, for a total cost of \$601,460.00; and rejecting all other bids received by the City.

Adopted Resolution No. 35965-070102. (6-0.)
File #202-209-472

6. A communication with regard to a contract for management and operation services for all City of Roanoke owned and/or controlled parking garages and surface parking lots.

Adopted Ordinance No. 35966-070102. (6-0.)
File #553

7. A communication with regard to the purchase of a hydraulic excavator.

Adopted Resolution No. 35967-070102. (6-0.)
File #183-472

b. **DIRECTOR OF FINANCE:**

1. Financial report for the month of May 2002.
Received and filed.
File #1-10

Adopted Budget Ordinance No. 35968-070102 and Ordinance No. 35969-070102. (6-0.), in connection with obtaining certain designs, services, lease and/or purchase of equipment and construction work for a project to obtain additional sources of water to increase the City's water supply and to help with the City's water supply emergency that was declared on February 4, 2002.
File #373-468-472

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS:

- a. A report of the City Attorney with regard to establishment of annual salaries for the Mayor, Vice-Mayor and Members of Council for the fiscal year beginning July 1, 2004. (The matter was tabled at the June 17, 2002 meeting of Council.)

Referred to Council's Budget and Planning Committee.
File #60-132

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Bestpitch requested that the City Clerk summarize information that will be placed on the Internet; i.e.: Commencing July 1, 2002, five years of information will be available to citizens and City departments with regard to City Council action agendas, reports, communications, ordinances and resolutions, and the Clerk's correspondence as a result of Council actions; information will be updated with each Council meeting; and, as time permits, information prior to July, 1997 will be posted on the Internet.

File #38-132-403

Council Member Bestpitch referred to the annual giving campaign for the Mill Mountain Zoo, and encouraged Council Members to make their individual contributions. He also referred to the Mill Mountain Zoo's major fund raising event "Zoo Do 2002", which will be held on Friday, July 26, from 6:30 p.m. until 10:30 p.m.

File #67

Council Member Bestpitch responded to remarks of the Mayor with regard to the proposed salary increase for Members of Council. He stated that he wished the Mayor demonstrated the same level of concern on the revenue side of the budget as he seems to have over the expenditure side. He further stated that on the revenue side of the City's budget, while six Members of Council drive a vehicle for which they purchase a City decal and pay 30 per cent of the car tax and the City of Roanoke receives 70 per cent reimbursement for car tax from the Commonwealth of Virginia, one Member of Council chooses to excuse himself from the need to purchase a decal or to pay the 30 per cent vehicle tax. He questioned the message that the Mayor may be sending to the citizens of Roanoke.

The Mayor responded that Mr. Bestpitch was referring to the dealers license tag on his personal vehicle. He stated that in the State of Virginia, one must obtain an automobile dealers license in order to sell automobiles or trailers, he is a trailer dealer, and having paid for an automobile dealers license, he is permitted to display a dealers tag on his personal automobile. He explained that a number of other vehicles within his company display City decals, along with a State license, which substantially contributes to the City's coffers. He advised that he pays 100 per cent in taxes and receives zero rebate from the state.

File #60-79-132

The Mayor encouraged citizens to attend July 3 and July 4 activities in the City of Roanoke, i.e.:

Old Fashioned Cruising Night on Williamson Road (July 3 at 7:00 p.m.)

Kiwanis Club River Clean Up at 9:00 a.m. (participants will meet at the Wasena Park Picnic Pavilion)

Farmers' Market Car Show - 10:00 a.m. - 2:00 p.m.

Old Fashioned Neighborhood Parade on Williamson Road - 2:00 p.m. (Parade starts at Civic Mall)

**Music for Americans at Victory Stadium - 7:00 p.m.
File #317**

Council Member Dowe wished all citizens a happy Independence Day. He stated that this is a day that Americans fought for several hundred years ago, and a day that all citizens may enjoy the freedom that comes from being an American.

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

- a. Request of Ms. Virgie Ayers to address Council with regard to public swimming pools. **(Was not present.)**

Mr. Hume Powers, 2641 Nottingham Road, S. E., expressed concern with regard to telephone service. He referred to a specific instance in which it took approximately 30 minutes to place a long distance telephone call from Roanoke to Richmond, after listening to over 30 recordings from the telephone company before his call was completed. He asked that City Council inquire as to why the telephone monopoly cannot perform in a more satisfactory manner.

Later during the meeting, the Mayor announced that his office had received a telephone call from Senator George Allen's office in which it was reported that any citizen with a concern should contact the Senator's Office to obtain the name of the appropriate agency to address service issues.

File #66-291

Mr. Robert Gravely, 617 Hanover Avenue, N. W., expressed concern with regard to the water shortage, the high cost of housing in the City of Roanoke, and low wages for City employees.

File #60-66-178-184-468

12. CITY MANAGER COMMENTS:

Council Member Cutler requested that the City Manager report on the status of improvements to Booker T. Washington Park; whereupon, the City Manager advised that approximately 12 - 18 months ago, the City, in conjunction with residents of the Washington Park area, appointed a committee to develop plans for improvements to Washington Park. She stated that her commitment to the neighborhood was if a plan could be developed that is supported by the neighborhood and City staff, she would submit the plan to Council with a recommendation that it receive the highest priority for park improvements. She advised that the plan has been addressed for at least 12 - 18 months, an element of which calls for an appropriate memorial to Booker T. Washington; the committee recommended that the memorial be designed by a representative of the minority community, however, there are procurement complications under the Virginia Procurement Code, therefore, progress has been delayed on that particular aspect, although the City continues to be willing to make funds available to assist in the procurement of a design if certain issues are resolved. She called attention to portions of the Booker T. Washington Park that were previously used as a landfill site, and an engineer has been

engaged to evaluate proposed plans for the neighborhood versus landfill conditions and to address potential reuse of some of the park areas before a public meeting is held. She stated that the Director of the Department of Parks and Recreation has met with the Washington Park Committee and made certain commitments in terms of time lines; improvements are not funded at this time, but it is her commitment to bring the matter forward with a recommendation that it be funded out of the first set of monies that have been placed in the capital improvements plan for park improvements. She stated that improvements which were included in the first phase of the parks and recreation master plan have been ongoing, although there have been some delays inasmuch as a decision was made to design all rest room facilities for all of the parks according to one design.

File #60-67

The City Manager advised that she appreciated the summary remarks of Council Member Carder at the organizational meeting in which he referenced many good and lasting decisions and improvements that have been made in the Roanoke community over the past two years. She stated that Roanokers have much to be proud of and much to celebrate on July 4th.

File #80-132-175

The City Manager advised that the 50th Anniversary of the Mill Mountain Zoo will be celebrated on July 4th at a ceremony at 10:00 a.m., to be held on Mill Mountain. She stated that there are a wealth of opportunities in the City of Roanoke for citizens to participate in special events and Roanoke is a community that offers many opportunities for its residents.

File #67-317

In regard to the remarks of Mr. Robert Gravely, the City Manager advised that in 2002 Council agreed to make the minimum rate of pay in the City of Roanoke \$8.00 per hour, therefore, no employee in the City of Roanoke earns less than \$8.00 per hour. She stated that pay ranges have been extended in the City's Pay and Classification Plan in order to provide maximum opportunities.

File #60-184

The meeting was declared in recess for one Closed Session.

CERTIFICATION OF CLOSED SESSION. (Approved 6-0, Council Member Wyatt was absent.)

The following persons were appointed/reappointed to various boards, commissions and committees:

City Planning Commission

Fredrick Williams to fill the unexpired term of Alfred T. Dowe, Jr., resigned, ending December 31, 2004.

File #110-200

**Roanoke Valley Convention and Visitors Bureau,
Board of Directors
File #110-293**

Sunny Shah for a term ending June 30, 2003.

Human Services Committee

Frank W. Feather and Pamela Kestner-Chappelear for terms ending June 30, 2003.

File #72-110

Flood Plain Committee

Bill Tanger for a term ending June 30, 2002 (Council waived the City residency requirement).

File #110-237

War Memorial Committee

Robert O. Gray, Harold H. Worrell, Sr., and Sloan H. Hoopes for terms ending June 30, 2003.

File #110-518

**Mill Mountain Advisory
Committee**

E. C. Pace, III, Carl H. Kopitzke and William R. Dandridge for terms ending June 30, 2003.

File #67-110

Roanoke Arts Commission

File #110-230

Youth Services Citizen Board

File #110-304

**Susan W. Jennings for a term
ending June 30, 2005.**

**Jamaal Jackson for a term
ending May 31, 2005.**